

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Chad Thompson, et al.,

Plaintiffs,

v.

Case No. 20-2129

**Richard "Mike" DeWine,
in his official capacity as Governor of
Ohio,**

**Amy Acton, in her official capacity
as Director of Ohio Department of
Health,**

and

**TEMPORARY RESTRAINING
ORDER/PRELIMINARY
INJUNCTION REQUESTED**

**Frank LaRose, in his official capacity
as Ohio Secretary of State,**

Defendants.

**PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING
ORDER AND/OR PRELIMINARY INJUNCTION**

Plaintiffs move for a Temporary Restraining Order and/or Preliminary Injunction against Defendants in the above-styled case either directing Defendants to immediately place Plaintiffs' marijuana decriminalization initiatives on local November 3, 2020 election ballots without the need for supporting signatures from Ohio voters, or alternatively:

(1) prohibiting enforcement of Ohio's in-person supporting signature requirements for initiatives for office for Ohio's November 3, 2020 general election;

(2) extending the deadline for submitting supporting signatures to city auditors, village clerks and local election boards of elections in order to qualify popular measures for local November 3, 2020 election ballots to September 1, 2020;

(3) directing Defendants to develop at their expense timely, efficient and realistic procedures and practices for gathering supporting signatures from voters electronically and submitting them to local officials electronically in order to qualify initiatives for local November 3, 2020 election ballots; and (iv) reducing the number of needed voters' signatures in support of proposed popular measures for local November 3, 2020 election ballots in Ohio to no more than ten percent of the number now prescribed by Ohio law; and

(4) declaring under 28 U.S.C. § 2201 that, in light of the current public health emergency caused by the COVID-19 pandemic and executive orders requiring that Ohio citizens stay at home and shelter in place, Ohio's supporting in-person, wet, witnessed signature requirements and submission deadlines for popular measures including initiatives and referenda proposed for local November 3, 2020 elections in Ohio violate the First and Fourteenth Amendments to the United States Constitution;

In support of this Motion, Plaintiffs respectfully submit their Verified Complaint and the accompanying Memorandum of Law. Plaintiffs certify that Defendants have been contemporaneously served by e-mail delivery with a copy of the Verified Complaint and a copy of this Motion through their attorney, Julie Pfeiffer, Associate Assistant Attorney General – Constitutional Offices, Office of Ohio Attorney General Dave Yost, 30 East Broad Street, Columbus, OH 43215, julie.pfeiffer@OhioAttorneyGeneral.gov. Plaintiffs and Defendants, through counsel, have agreed that in light of the COVID-19 pandemic and Ohio's stay-at-home

orders Defendants will accept service of process under Federal Rule of Civil Procedure 4 electronically through their attorneys.

Dated: April 27, 2020.

Respectfully submitted,

/s/ Mark R. Brown

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CERTIFICATE OF SERVICE

I certify that this Motion, Memorandum of Law and a copy of the Verified Complaint were electronically served by e-mail delivery on Defendants through their attorney, Julie Pfeiffer, Associate Assistant Attorney General – Constitutional Offices, Office of Ohio Attorney General Dave Yost, 30 East Broad Street, Columbus, OH 43215, julie.pfeiffer@OhioAttorneyGeneral.gov, this 27th day of April 2020.

/s/ Mark R. Brown

Mark R. Brown